

INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ2004/000194

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl⁷: A61M 16/06 A62B 18/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
SEE ELECTRONIC DATABASES CONSULTED

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
DWPI: A61M-016, A62B, mask, outlet, exhaust, aperture, hole, port, slot, slit, narrow, thin, slender, split, constrict, taper, wide, broad, long, chin, jaw.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	SU 726692 A (KUBANSK SELSKOKHOZYAST INST (SU)) 7 September 1978 Abstract, Fig. 1,2, column 1 lines 14-21, column 2 line 5 – column 3 line 40	1-13,15
X	US 4706683 A (CHILTON ET AL.) 17 November 1987 Fig 2,3	1-12,15
X	JP 2000325481 A (FUJISAWA PHARMACEUT CO LTD) 28 November 2000 Abstract, Fig.	1-12,15
P,X	US 6736139 B1 (WIX) 18 May 2004-10-26 Fig. 1,2	1-12,15

 Further documents are listed in the continuation of Box C See patent family annex

* Special categories of cited documents:	
"A"	document defining the general state of the art which is not considered to be of particular relevance
"E"	earlier application or patent but published on or after the international filing date
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O"	document referring to an oral disclosure, use, exhibition or other means
"P"	document published prior to the international filing date but later than the priority date claimed
"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&"	document member of the same patent family

Date of the actual completion of the international search
26 October 2004

Date of mailing of the international search report

5 NOV 2004

Name and mailing address of the ISA/AU

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	RU 2186597 C1 (SORBENT INTRODUCTION CENTRE STOCK CO) 10 August 2002 Abstract, Fig. 1-3, page 3 column 2 line 56 – page 6 column 2 line 17.	13
X	EP 1245250 A2 (ROSEMOUNT AEROSPACE INC.) 2 October 2002 Entire document	13
X	US 5758642 A (CHOI) 2 June 1998 Entire document	13
X	US 3982532 A (HALLDIN ET AL.) 28 September 1976 Entire document	13

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: 14
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
This claim is considered to define two inventive concepts within a single claim. It is considered too unclear for a meaningful search to be performed.

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See extra sheet

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

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Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: III

The claims do not relate to one invention only (or to a group of inventions so linked as to form a single general inventive concept). In assessing whether there is more than one invention claimed, I have given consideration to those features which can be considered to be "special technical features". These are features that potentially distinguish the claimed combination of features from the prior art. Where different claims have different special technical features they define different inventions. I have found claims having different special technical features as follows:

- (1) Claims 1-12. It is considered that "one narrow outlet vent" comprises a first special technical feature.
- (2) Claims 13. It is considered that "hollow body and a cushion where said cushion extends below said user's chin" comprises a second special technical feature.

Since these groups of claims do not share any of the special technical features identified, a technical relationship between the inventions does not exist. Accordingly the claims do not relate to one invention or to a single inventive concept, a priori.

Both inventive concepts could be searched without additional effort

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member				
SU	726692	NONE					
US	4706683	NONE					
JP	2000325481	NONE					
US	6736139	NONE					
RU	2186597	NONE					
EP	1245250	US 2002139368					
US	5758642	NONE					
US	3982532	AT 1010774 CH 580428 FI 366674 JP 50106496	BE 823499 DE 2459651 FR 2255084 NO 744562		CA 1014816 DK 660274 GB 1494330 SE 7317152		

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX